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**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

JOHN STOSSEL, an individual,

Plaintiff,

v.

META PLATFORMS, INC., a Delaware  
corporation; SCIENCE FEEDBACK, a French  
non-profit organization; and CLIMATE  
FEEDBACK, a French non-profit organization,

Defendants.

Case Number: 5:21-cv-07385-VKD

**SECOND LR 6-2(A) STIPULATION TO  
EXTEND DEADLINE FOR  
DEFENDANTS TO FILE MOTION FOR  
ATTORNEYS' FEES AND COSTS AND  
[PROPOSED] ORDER**

Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, Plaintiff John Stossel, Defendant Meta Platforms, Inc. (“Meta”), and Defendant Science Feedback<sup>1</sup> (collectively, the “Parties”) respectfully submit this Stipulation to extend the deadline for Defendants Meta and Science Feedback to file their respective motion for attorneys’ fees and costs. This stipulated request is supported by the accompanying declaration of Thomas R. Burke.

WHEREAS, Plaintiff John Stossel filed the Complaint on September 22, 2021 (Dkt. No. 1);

WHEREAS, Meta moved to dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) and to strike the claims asserted against Meta pursuant to California’s anti-SLAPP statute on November 29, 2021 (Dkt. No. 27, “Meta’s Motion”);

WHEREAS, Science Feedback moved to dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) and to strike the claims asserted against Meta pursuant to California’s anti-SLAPP statute on January 31, 2022 (Dkt. No. 50, “Science Feedback’s Motion”);

WHEREAS, the Court held a hearing on both Meta’s Motion and Science Feedback’s Motion on April 12, 2022 (Dkt. No. 58);

WHEREAS, on October 11, 2022, the Court granted both Meta’s Motion and Science Feedback’s Motion without leave to amend and required Meta and Science Feedback to file a noticed motion for attorneys’ fees and costs in compliance with Civil Local Rule 54-5 “[i]f defendants seek an award of attorneys’ fees and costs pursuant to the anti-SLAPP statute, Cal. C.C.P. § 425.16(c)(1)” (Dkt. No. 67);

WHEREAS, the Court entered judgment in favor of Meta and Science Feedback on the same day (Dkt. No. 68);

WHEREAS, on October 17, the Court granted the Parties’ Joint Stipulation to extend the deadline for Meta and Science Feedback’s respective motions for attorneys’ fees and costs from October 25, 2020 to November 22, 2022 (Dkt. No. 70);

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<sup>1</sup> Originally sued as “Science Feedback and Climate Feedback.”

WHEREAS, on November 9, 2022, Plaintiff filed a notice of appeal appealing this Court's October 11, 2022 Order granting Meta's Motion and Science Feedback's Motion to the United States Court of Appeals for the Ninth Circuit;

WHEREAS, the Parties believe that holding in abeyance the briefing on Meta and Science Feedback's respective motions for attorneys' fees and costs pending Plaintiff's appeal will aid in the efficient administration of justice and conserve judicial resources;

WHEREAS, extending the deadline for Meta and Science Feedback to file their respective motion for attorneys' fees and costs will not affect any other date already set by Court order;

**IT IS HEREBY STIPULATED AND AGREED** by the Parties that the deadline for Meta and Science Feedback to file their respective motion for attorneys' fees and costs shall be extended from November 22, 2022 to thirty (30) days after the United States Court of Appeals for the Ninth Circuit issues its mandate.

DHILLON LAW GROUP INC.

Dated: November 10, 2022

By: /s/ Krista L. Baughman  
KRISTA L. BAUGHMAN

*Attorneys for Plaintiff* John Stossel

Dated: November 10, 2022

WILMER CUTLER PICKERING  
HALE AND DORR LLP

By: /s/ Molly M. Jennings  
MOLLY M. JENNINGS

*Attorneys for Defendant* Meta Platforms, Inc.

Dated: November 10, 2022

DAVIS WRIGHT TREMAINE LLP

By: /s/ Thomas R. Burke  
THOMAS R. BURKE

*Attorneys for Defendants* Science Feedback  
and Climate Feedback

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED that:

The deadline for Meta and Science Feedback to file their respective motion for attorneys' fees and costs shall be extended from November 22, 2022 to thirty (30) days after the United States Court of Appeals for the Ninth Circuit issues its mandate.

Dated: \_\_\_\_\_

\_\_\_\_\_  
By: Hon. Virginia K. DeMarchi

**ATTORNEY ATTESTATION**

I, Thomas R. Burke, am the ECF User whose ID and password are being used to file this Stipulation and accompanying proposed order. In compliance with Civil Local Rule 5-1(h)(3), I hereby attest that concurrence in the filing of this document and all attachments has been obtained from each signatory.

Dated: November 10, 2022

By: /s/ Thomas R. Burke  
Thomas R. Burke